

## ***Statement***

### ***Insurance Association of Connecticut***

Judiciary Committee

March 17, 2014

#### **HB 5570, An Act Concerning The Applicability Of The Statute Of Limitations To Actions Brought By The State Or A Political Subdivision Of The State**

The Insurance Association of Connecticut urges your support of HB 5570, An Act Concerning The Applicability Of The Statute Of Limitations To Actions Brought By The State Or A Political Subdivision Of The State.

HB 5570 seeks to restore the applicability of the statute of limitations to claims involving the state which was eliminated in the court's holding in the State v. Lombardo Brothers Mason Contractors, Inc., 307 Conn. 412, 54 A.3d 1005 (Conn. 2012) based upon the arcane doctrine of *nullum tempus occurrit regi* (no time runs against the king).

Statutes of limitations are designed to provide a finite time in which a claim may be brought protecting defendants from limitless litigation. Statutes of limitation ensure that information is available and evidence does not become stale. Permitting the state, or its political subdivision, to bring a claim in perpetuity will make it extremely, if not impossible, to defend. It will be extremely difficult to gather relevant evidence to defend against such claims. Damages will be unjustly inflated do to time lapse. Justice is supposed to be balanced and fair for both parties. Eliminating the statute of limitation by permitting the doctrine of *nullum tempus occurrit regi* remain the law of the land removes justice from the equation.

The IAC urges your support of HB 5570.